

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 7662 of 2007(K)

PETITIONER:

THE MANAGER, MOUNT CARMEL ENGLISH
MEDIUM HIGHER SECONDARY SCHOOL,
MATHILAKAM, EAST KALLADA P.O., KOLLAM DISTRICT.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, GENERAL EDUCATION (G) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.
3. THE DEPUTY DIRECTOR OF EDUCATION,
KOLLAM.
4. THE DISTRICT EDUCATIONAL OFFICER,
KOLLAM.

BY A.G.SRI.C.P.S.PRASAD
GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF THE ORDER NO.D.DIS.B6.17597/87 DTD 8.1.1988 ISSUED BY THE 4TH RESPONDENT.
- EXT.P2: COPY OF THE ORDER NO.D.DIS.B6.4659/88 DTD 28.3.1988 ISSUED BY THE 4TH RESPONDENT.
- EXT.P3: COPY OF THE ORDER NO.B1-7775/96/K.DIS DTD 3.7.1996 ISSUED BY THE 4TH RESPONDENT.
- EXT.P4: COPY OF THE ORDER NO.G.O.(MS) NO.221/2002/G.EDN. DTD 23.7.2002.
- EXT.P5: COPY OF THE ORDER G.O.(MS).NO.61/2002/G.EDN. DTD 5.4.2002.
- EXT.P6: COPY OF THE CIRCULAR NO.6792/G3/2002/G.EDN. DTD 25.4.2002 ISSUED BY THE FIRST RESPONDENT.
- EXT.P7: COPY OF THE ORDER G.O.(Rt).NO.679/04/G.EDN. DTD 12.2.2004.
- EXT.P8: COPY OF THE ORDER NO.C4/33041/01 DTD 25.3.2002 ISSUED BY THE 3RD RESPONDENT.
- EXT.P9: COPY OF THE ORDER NO.B1/23543/2002 DTD 3.2.2003 ISSUED BY THE 3RD RESPONDENT.
- EXT.P10: COPY OF THE ORDER NO.B1/2079/05 DTD 4.5.2005 ISSUED BY THE 3RD RESPONDENT.
- EXT.P11: COPY OF THE ORDER NO.B1/1370/06 DTD 30.3.2006 ISSUED BY THE 3RD RESPONDENT.
- EXT.P12: COPY OF THE ORDER G.O.(Rt).NO.4589/2006/G.EDN DTD 20.10.2006.

.....

// TRUE COPY//

P.A. TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 7662 OF 2007

Dated this the 4th day of July, 2007

J U D G M E N T

Petitioner challenges Ext.P12 order issued by the Government (G.O. (Rt) No.4589/2006/G.Edn. Dated 20.10.2006). He further prays for a declaration that he is entitled to conduct the private study for students in Standard IV to Standard VI during the academic year 2007-08 as well as in the succeeding years.

The validity of the above Government Order was considered by this Court in a batch of writ petitions wherein this Court has held that the Government is competent to issue the order in question. In that view of the matter, there is no merit in this writ petition. It is accordingly dismissed.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007